

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

**LEAGUE OF WOMEN VOTERS OF
NEW HAMPSHIRE, et al.,**

Plaintiffs,

v.

STEVE KRAMER, et al.,

Defendants.

Civil Action No. 1:24-cv-73

DECLARATION OF KATHLEEN SULLIVAN

Pursuant to 28 U.S.C. § 1746, I, Kathleen Sullivan, being of sound mind and more than eighteen years of age, hereby declare:

1. This declaration is based on my personal knowledge and recollection.
2. I am a resident of Manchester, New Hampshire.
3. I am a U.S. citizen, registered to vote in New Hampshire.
4. I served as chairwoman of the New Hampshire Democratic Party from 1999 to 2007.
5. In 2023, I became treasurer of Granite for America, an independent expenditure political action committee that supports President Biden's re-election campaign. Prior to the New Hampshire primary election, Granite for America ran a campaign that encouraged New Hampshire voters to write in President Biden's name on the Democratic primary ballot. I was actively involved in this campaign.
6. My husband, John Rist, and I each have our own cell phones under a single account that is in my husband's name. Because my husband's name is on the account, when

my phone number is used to make a phone call, the recipient's caller ID will display my phone number, my husband's name, or both.

7. Upon information and belief, two days before the 2024 primary elections, on January 21, voters in New Hampshire began to receive calls that displayed either my cell phone number, my husband's name, or both on their caller ID. The calls played a message that sounded like it was President Biden and told them not to vote in the primary. Upon information and belief, the message also included my cell phone number in the message itself or a link to my cell phone number.

8. I did not realize what was happening right away.

9. Late afternoon on January 21, 2024, my sister, a Manchester voter and a state representative, and my brother in-law saw a missed call from "John Rist." My brother-in-law called my husband, who was confused because he had not made any calls. At the time, they wrote it off as having been an accidental dial. Two days later I asked my sister to check her landline voice mail, and they found the fake message that sounded like it was from President Biden.

10. Around 6:15 p.m. on the same day, January 21, I received a call from someone I did not know who told me that he had just received a political phone call from my number. I told him that I had not called him, and we thought that was weird.

11. After that, in the evening of Sunday, January 21, my husband and I went to dinner with people from the New Hampshire Democratic Party. I had my phone on silent. Later during the dinner, I checked my phone and saw missed calls from several numbers that I didn't recognize. That was unusual. I called one of the numbers back. The person who answered said that she had received an unwanted political call from Joe Biden and wanted to

opt out of future calls. When I told her that I didn't call her, she said: "Someone is scamming you!"

12. I knew that Granite for America was sending out mail to voters and running a live-person telephone campaign, in which live callers encouraged people to vote in the primary. I called a colleague who was running the telephone campaign and asked if they were giving out my phone number; he confirmed that they were not.

13. Soon after that, while I was still at dinner, I received a call from another friend who confirmed that a phony call that sounded like President Biden had gone out to New Hampshire voters and featured my phone number.

14. At this point, I knew that I had to leave dinner, go home, and try to fix this. My primary goal was getting out the word to voters that the call is faked, that people have the right to vote in both the primary and general election and do not have to "save" their vote, and that neither President Biden nor I were involved in the phone call in any way.

15. I spent the rest of the evening and all of the following day, January 22, one day before the election, speaking about the robocalls with journalists, friends, voters, and the New Hampshire Attorney General Office. I focused on correcting the misinformation for as many people as I could through Election Day, January 23.

16. I was and remain deeply concerned that voters who received the call would not know it was fake and would decide not to vote in the primary, or might think that voting in the primary would cost them the right to vote in the general election. I also was and remain deeply concerned about my phone number and name being connected with this deepfake call that tried to prevent people from voting.

17. After hearing the entire message, I understood why someone would fall for the call and think that it was real.

18. On or about January 24, I contacted my cell phone company via their customer service line. I informed them that my number had been used without my permission in the robocall scam. The representative told me that I had been a spoofing victim, but that they weren't able to prevent a bad actor from misusing my number in that manner.

19. I never consented to my phone number being used as the originating number of the call, and my husband never consented to his name being used as the originating name of the call. I never consented to my number being included in the message itself, nor did I have any power or authority to "opt out" anyone who received the call.

20. I have committed a lot of time trying to correct the damage done by these robocalls, both to voters and to my own reputation.

21. As far as I can remember, I had never met or interacted with Steve Kramer, and did not know him either personally or by reputation.

22. On or about Thursday, March 14, Steve Kramer called me directly (the "March 14 Call"). He accused me of being behind this current lawsuit and provided me with his contact information.

23. On the March 14 Call, Mr. Kramer informed me that he had gotten my number from Granite For America's FEC filing but that my name "hadn't crossed his desk in twenty years." I still do not know what he meant by that. He also claimed that he used my name because he thought I would "do the right thing" and would go to the press. I do not believe him.

24. On the March 14 Call, Mr. Kramer claimed to have worked for “big” campaigns in the past and stated that he knew people at the Democratic National Committee. He also claimed that he was working with the New Hampshire Department of Justice and the “FEC.” I do not believe him.

25. On the March 14 Call, Mr. Kramer claimed that many campaigns had reached out to ask him to do “bad things,” which I understood to mean running similar deepfake and/or spoofed political robocalls that will threaten or deceive voters.

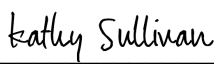
26. On the March 14 Call, Mr. Kramer claimed that he had only spent \$500 on the robocalls.

27. On the March 14 Call, Mr. Kramer provided contradictory statements concerning the New Hampshire robocall scheme. Earlier in the call, he claimed that he distributed the robocalls to alert everyone to the dangers of AI-generated robocalls and that he knew it would make the news. Later in the call, however, he stated that he did not expect the robocalls to make that much news.

28. I am not involved in this lawsuit, other than to provide my account as a witness. I am not a plaintiff in this case, nor am I represented by the attorneys who represent the plaintiffs in this case.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on April __, 2024. 4/12/2024

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Kathleen Sullivan